

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA

v.

JASON PENNEY,
Defendant

§
§
§
§
§
§
§

No. 1:24-CR-00074-RP-1

ORDER

Before the Court is Defendant's Unopposed Motion for Permission to Travel, filed June 11, 2024 (Dkt. 20). The District Court referred the motion to this Magistrate Judge for resolution, pursuant to 18 U.S.C. § 3006A(b), 28 U.S.C. § 636(b)(1)(A), and Rule 44 of the Federal Rules of Criminal Procedure. Dkt. 82.

On April 30, 2024, Defendant appeared in Court pursuant to a summons and pled guilty to one count of Conspiracy to Commit Wire Fraud, in violation of 18 U.S.C. § 3149. Dkt. 17. The same day, he surrendered his passport to this Court and was released on a \$50,000 appearance bond. Dkt. 16. In the Order Setting Conditions of Release, Defendant's travel was restricted to Volusia County, Florida and its surrounding counties, with travel otherwise permitted to the Western District of Texas for court purposes and to Houston to meet with counsel. Dkt. 15, condition (7)(f). Defendant's sentencing is set for August 2, 2024, before the Honorable Robert Pitman. Dkt. 18.

In the Motion, Defendant asks the Court to modify his conditions of release to permit him to make two trips: (1) from Orlando, Florida to Dallas from June 19 through June 25, 2024, for his daughter's participation in the Volleyball Nationals competition; and (2) from Orlando to Fort Moore, Georgia from July 2 through July 6, 2024, for his son's Army Graduation Ceremony.

The Government and Defendant's supervising officers with U.S. Pretrial Services do not oppose the Motion.

Having carefully considered the facts and circumstances of Defendant's case, Defendant's Request to Travel is **GRANTED. IT IS ORDERED** that Paragraph 7(f) of Defendant's Additional Conditions of Release (Dkt. 15) is **AMENDED** as follows:

The defendant must abide by the following restrictions on personal association, residence, or travel: Defendant is permitted to travel to Dallas, Texas, departing on June 19, 2024 and returning on June 25, 2024, and to Fort Moore, Georgia, departing on July 2, 2024 and returning on July 6, 2024. Defendant is **ORDERED** to text his Supervising Officer daily while traveling. Otherwise, Defendant's travel is restricted to Volusia County, Florida and its surrounding counties unless approved by U.S. Pretrial Services or the Court. Defendant may travel to the Western District of Texas for the purpose of court and to Houston, Texas to meet with counsel.

Defendant's release remains subject to all conditions in the Order Setting Conditions of Release as hereby amended.

SIGNED on June 14, 2024.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE